

Remarks

Claims 1-20 are pending in the application. Claims 1-12 are rejected, and claims 13-20 are withdrawn from consideration. By this paper, claim 6 is amended. Based on the following, consideration of the amended claim, and reconsideration of the remaining claims, are requested.

Claim Rejections—35 U.S.C. § 112

The Examiner rejected claims 6-10 under 35 U.S.C. § 112, second paragraph. In particular, the Examiner rejected claim 6, stating that the term "aesthetic pattern" is relative, and rendered the claim indefinite. Applicants respectfully disagree with the Examiner's characterization of the term "aesthetic pattern" as being indefinite. The foregoing notwithstanding, claim 6 is amended by this paper to more particularly point out and distinctly claim the subject matter of the invention. For example, amended claim 6 recites the method of claim 1 in which a "tool surface pattern" is defined, and provides the additional step of "providing the tool surface with another pattern different from the tool surface pattern, thereby providing a corresponding aesthetic pattern to a corresponding surface of a polymeric component produced with the tool." Amended claim 6 clearly defines the use of two separate patterns in the tool surface, the second pattern providing the function of imparting an aesthetic pattern to the surface of a component produced with the tool. Applicants believe that amended claim 6 meets the requirements of § 112.

The Examiner rejected claim 7, stating that it was unclear whether the limitation regarding "forming in a surface of a metallic plate a plurality of cavities...", refers to a separate step from the step recited in claim 1 regarding removing material from an unmasked portion of a tool surface. Applicants submit that claim 7 as filed is clear. Taken in its entirety, claim 7 recites a number of steps of the claimed method, including "removing the paper from the metallic plate, thereby removing at least some of the spreadable material from the at least partially filled cavities, and wherein masking a portion of the tool surface includes disposing

the paper on the tool surface such that the spreadable material on the paper contacts the tool surface."

It is clear from the plain language of the claim that the steps recited in claim 7 are in addition to the step of removing material from the unmasked portion of the tool surface as recited in claim 1. The last clause of claim 7 states that the masking step recited in claim 1 includes disposing the paper on the tool surface, and by the plain language of claim 1, applying the caustic material must necessarily follow the step of masking. In addition to the plain language of the claims, the specification fully supports each of these steps. Moreover, in the Examiner's later rejections, reciting U.S. Patent No. 6,988,342 (Luetgert et al.), the Examiner discusses the use of plate separate from the surface of the mold tool. Specifically, the Examiner discusses filling portions of the exposed plate with wax, applying a paper to the plate, and then transferring the paper to a mold tool surface. Thus, the process is easily understood by those skilled in the art, and Applicants submit that claim 7 meets the requirements of § 112.

The Examiner rejected claim 9, stating that it was unclear whether the limitation of forming cavities using laser etching was separate from the step of removing material using a caustic as recited in claim 1. Again, Applicants submit that claim 9 is clear on its face. The metal plate that is laser etched is the metal plate of claim 7, and it is used as part of a wax transfer process to the mold tool surface prior to the application of the caustic material to the mold tool surface. Claims 8 and 10 depend directly from claim 7, and the Examiner has not provided specific rejections for these dependent claims. Therefore, Applicants respectfully request that the rejections to claims 6-10 under § 112 be withdrawn.

Claim Rejections—35 U.S.C. §§ 102, 103

The Examiner rejected claims 1, 2 and 6 citing U.S. Patent Application Publication No. 2004/0071936 (Martelli) under 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a). The Examiner states that Martelli teaches a method for producing a mold tool to achieve a

reduced gloss appearance on the surface of a polymeric component, including the steps of removing material from an unmasked portion of the tool and forming a tool surface pattern including a plurality of raised portions, where the average maximum width of each of the raised portions is less than 350 μm . The Examiner cites to paragraph 29 of Martelli in support of this statement. In fact, paragraph 29 of Martelli discusses, in the context of an etching process, the depth of depressions and the ratio of the depressions to lands in surface area. Nowhere in paragraph 29 does Martelli expressly or inherently describe the steps recited in claim 1 of the present application. Moreover, Martelli does not teach or suggest all of the claim limitations of claim 1. Yet these are the requirements for a finding of anticipation or obviousness.

Elsewhere in the specification, Martelli does discuss the width of the depressions, but vaguely states that the width can "vary as needed"—see paragraph 0031. First, the widths of the depressions are not the widths of the raised portions specifically recited in claim 1 of the present application. Second, this vague reference in Martelli certainly does not meet the requirements for finding anticipation as specifically recited in the MPEP, which states that "[t]he identical invention must be shown in as complete detail as is contained in the... claim." MPEP § 2131, 8th ed., Rev. 3 (citation omitted). Moreover, this vague reference in Martelli does not teach or even suggest the claim limitations of claim 1; therefore, the MPEP requirements for a showing of *prima facie* obviousness have not been met.

Claims 2 and 6 depend directly from claim 1, and therefore contain all of the limitations of claim 1, as well as additional limitations which further distinguish them from the cited reference. For example, claim 6, as amended by this paper, recites the step of "providing the tool surface with another pattern different from the tool surface pattern, thereby providing a corresponding aesthetic pattern to a corresponding surface of a polymeric component produced with the tool." No such limitations are expressly or inherently described, nor are they taught or suggested by Martelli. At most, Martelli notes that "[e]tching patterns combine artistry of final appearance with technology of generating the pattern." (Paragraph 0026, Martelli). Thus, Martelli discusses the use of a pattern which itself may have aesthetic value,

but does not discuss the use of two separate patterns as specifically recited in claim 6 of the present application. Therefore, Applicants submit that claims 1, 2 and 6 are neither anticipated nor obvious in light of Martelli.

The Examiner rejected claims 3-5 under 35 U.S.C. § 103 as being unpatentable over Martelli. At the outset, Applicants note that claims 3-5 each depend directly from claim 1, and therefore each contains all of the limitations of claim 1, as well as additional limitations which further distinguish it from the cited reference. For example, claim 3 recites that the tool surface pattern "has an average spacing of less than 450 μm" Martelli refers generally to the width of the depressions in the mold pattern, and the ratio of depressions to lands in surface area. Nowhere does Martelli teach or suggest the claim limitations of claim 3, which specifically recite a surface pattern known to solve the problem of an undesirable high gloss appearance on the surface of a polymeric component.

Similarly, claim 4 of the present application recites a very specific density range for the raised portions found on the surface of the mold tool. Claim 4 recites that this density is "greater than 6,000 raised portions per square inch." Martelli does not teach or suggest such a high density pattern of raised portions having a clearly defined width when it vaguely references the widths of the depressions and the ratio of depressions to lands in surface area. Indeed, claim 5 further recites and limits the maximum width of the raised portions, further defining and distinguishing over Martelli. Therefore, with regard to claims 3-5 and Martelli, the MPEP requirements for a showing of *prima facie* obviousness have not been met.

The Examiner rejected claims 7, 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Martelli in view of Luetgert et al. Claim 1 is the base claim for each of claims 7, 9 and 10. Therefore, each of these dependent claims contains all of the limitations of claim 1, as well as additional limitations which further distinguish it from the cited references. The addition of Luetgert et al. to Martelli still does not teach or suggest all of the claim limitations of claim 1 of the present application. Moreover, claims 7, 9 and 10 each have additional limitations which further distinguish them from the combination of references.

Therefore, with regard to claims 7, 9 and 10 and the combination of Martelli and Luetgert et al., the MPEP requirements for a showing of *prima facie* obviousness have not been met.


The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Martelli in view of Luetgert et al. as applied to claims 7, 9 and 10, and further in view of U.S. Patent No. 3,656,951 (Anderson et al.). Claim 8 depends directly from claim 7, which depends from claim 1, such that claim 8 includes all of the limitations of both claim 7 and claim 1, as well as additional limitations which further distinguish it from the combination of cited references. The addition of Anderson et al., which teaches photoresist compositions, still does not teach or suggest all of the claim limitations of claim 1, or claim 7. Therefore, claim 8, with its additional limitations, is not rendered obvious by the cited combination.

The Examiner rejected claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Martelli in view of U.S. Patent No. 5,596,912 (Laurence et al.). At the outset, Applicants note that Laurence et al. was not cited on Form PTO-892, and respectfully request that the Examiner provide a new Form PTO-892 including Laurence et al. with the next action. Claim 1 is the base claim for claims 11 and 12. Each of these dependent claims contains all of the limitations of claim 1, as well as additional limitations which further distinguish it from the cited references. The combination of Laurence et al. with Martelli does not teach or suggest all of claim limitations of claim 1, and claims 11 and 12 each have additional limitations which further distinguish them from the cited combination. Therefore, with regard to claims 11 and 12 and the combination of Laurence et al. and Martelli, the MPEP requirements for a showing of *prima facie* obviousness are not met.

Accordingly, allowance of each of the pending claims is requested. Please charge any fees or credit any overpayments as a result of the filing of this paper to Ford Global Technologies, LLC Deposit Account No. 06-1510.

Respectfully submitted,

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